

E-Filed 9/6/11

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GARY MILANO,

No. C 11-01516 RS

Plaintiff,

ORDER TO SHOW CAUSE

v.

CITY OF WALNUT CREEK, et al.,

Defendants.

On March 29, 2011, pro se plaintiff Gary Milano filed a complaint against defendants City of Walnut Creek, Sgt. M. McLaughlin, Officer R. Dickey, and Robert Taylor. Milano did not serve any of the defendants with the summons and complaint as required by Federal Rule of Civil Procedure 4 and therefore none have appeared in the case. Although he subsequently filed a First Amended Complaint on June 24, 2011, he still has not served the defendants. Furthermore, Milano failed to appear at the initial Case Management Conference, which was held on September 1, 2011. Accordingly, Milano is hereby ordered to show cause in writing why this case should not be dismissed for failure to prosecute. His show cause response must be filed in this Court no later than **September 29, 2011**. Milano is further directed to appear for a show cause hearing on **October 6, 2011, at 1:30 p.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. Failure to file a response or to appear at the hearing will result

1 in dismissal of the action. Milano may wish to consult the Court's "Handbook for Litigants Without
2 a Lawyer," available from the Clerk's Office or on the Court's website at
3 <http://www.cand.uscourts.gov/prosehandbk>.

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5 IT IS SO ORDERED.

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7 Dated: 9/6/11



8 RICHARD SEEBORG
9 UNITED STATES DISTRICT JUDGE
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THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:

Gary Lee Milano
3710 Lone Tree Way, #113
Antioch, CA 94509

DATED: 9/6/11

/s/ Chambers Staff
Chambers of Judge Richard Seeborg